

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RICHARD ABONDOLO, as Chairman of the  
Board of Trustees of UFCW LOCAL 50  
WELFARE TRUST FUND, et al.,

Plaintiffs,

-against-

SIEGMUND STRAUSS, INC.,

Defendant.

ALVIN K. HELLERSTEIN, U.S.D.J.:

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## ORDER

07 Civ. 4850 (AKH)

The law firm of Meltzer, Lippe, Goldstein & Breitsone, LLP, counsel for defendant Siegmund Strauss, Inc., moves to withdraw as counsel, and to stay the proceedings in this case to permit substitution counsel to appear in this action. Substitution counsel for Defendant has not filed a notice of appearance.

On September 20, 2007, I conducted a brief telephone conference with a Richard M. Howard, a member of Meltzer, Lippe, Goldstein & Breitstone, LLP, and an attorney for Plaintiffs, Andrew J. Calcagno, to discuss counsel's pending motion to withdraw. I informed the parties that Defendant's substitution of counsel should not delay the proceedings in this case. I further stated that I would relieve Mr. Howard and his law firm as counsel to Defendant, and that I would adjust the date by which Defendant must appear and respond to Plaintiffs' petition to confirm an arbitration award, after which date Defendant risks entry of default judgment against it. Accordingly, it is hereby


ORDERED that the motion to withdraw filed by Meltzer, Lippe, Goldstein & Breitsone, LLP is GRANTED; and it is further

ORDERED that Plaintiffs' request for a stay of the proceedings in this case is DENIED, except to the extent this Order extends the date by which Defendant must appear and respond to Plaintiffs' petition; and it further

ORDERED that Defendant, by counsel, shall appear in this matter and respond to Plaintiffs' petition within 20 calendar days of this Order, else the Court shall entertain an application for, and likely enter, default judgment for Plaintiffs.

SO ORDERED.

Dated: September 20, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge